

Exhibit B

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

WAL-MART STORES, INC., ET AL.,

PLAINTIFFS

V.

TEXAS ALCOHOLIC
BEVERAGE COMMISSION, ET AL.,

DEFENDANTS

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CIVIL ACTION NO. 1:15-CV-00134-RP

DECLARATION OF INEZ CINDY GABRIEL

1. My name is Inez Cindy Gabriel. I am over the age of twenty-one years and am fully competent and authorized in all respects to execute this affidavit. I have personal knowledge of the facts contained herein, which are true and correct.

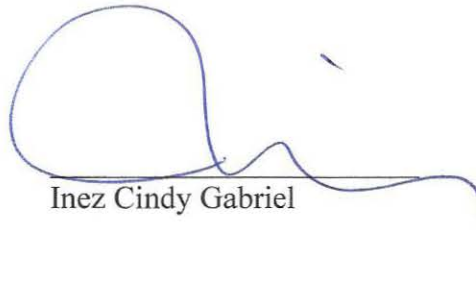
2. I am the President of Gabriel Holdings, LLC. Gabriel Holdings, LLC, through its wholly-owned direct and indirect subsidiaries, owns and operates package stores in Texas engaged in the retail sale of beer, wine, and distilled spirits to consumers for off-premises consumption. Gabriel's thus competes with Wal-Mart for sales of wine and beer and is a potential competitor with Wal-Mart for sales of distilled spirits.

3. I have reviewed the subpoena served on Gabriel's by Wal-Mart Stores, Inc. in connection with this case. Gabriel Holdings, LLC stores documents at two locations in San Antonio, 4445 Walzem Road and 10903 Gabriel's Place. A search for the documents requested in the subpoena would require a search of both locations. Gabriel Holdings, LLC does not store its documents in categories matching the categories sought by the subpoena and in the 21 years

covered by the subpoena Gabriel Holdings, LLC has been involved with corporate acquisitions. Gabriel Holdings, LLC has a massive amount of paperwork so a thorough search for the requested documents would involve reviewing thousands of boxes. Accessing some of the boxes would require the use of equipment such as fork lifts or ladders, as well as the personnel to operate that equipment with a safety barrier. It would require weeks of man hours to attempt this task.

4. Even after conducting such an enormous search, it is possible that Gabriel Holdings, LLC would have very few responsive documents. Some of Gabriel Holdings, LLC's archives were destroyed in a water leak and other records may have been destroyed through application of a document retention policy.

5. I declare under penalty of perjury that the foregoing is true and correct.



Inez Cindy Gabriel